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COMMITTEE ON THE RIGHTS OF THE CHILD

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SUMMARY RECORD OF THE 351st MEETING

Held at the Palais des Nations, Geneva,
on Friday, 10 January 1997, at 10 a.m.

Chairperson: Mrs. BELEMBAOGO

CONTENTS

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Initial report of Ethiopia (continued)

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The meeting was called to order at 10.15 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Ethiopia (continued) (CRC/C/8/Add.27; CRC/C/Q/ETH.1 and Rev.1) (list of issues); (written replies by the Government of Ethiopia with no document symbol in English and French)

1. At the invitation of the Chairperson, the Ethiopian delegation resumed its place at the Committee table.
2. The CHAIRPERSON invited the members of the Ethiopian delegation to reply to the questions raised by the members of the Committee at the previous meeting.
3. Mr. DIRESSIE (Ethiopia) said that children were adopted in Ethiopia on the basis of an agreement between families according to customary practices. In the case of international adoption, the State acted as the children's guardian. Ethiopia had five State orphanages where children learned to be independent.
4. The main causes of disability that had been identified were poliomyelitis and vitamin A and iodine deficiency. The Ministry of Health had drawn up a major health programme that included an extended vaccination programme. There were two establishments for blind and deaf children, but unfortunately their facilities were limited. A specialized agency set up under the auspices of the Ministry of Labour and Social Affairs was primarily responsible for their social integration.
5. The war had claimed many victims among children and the Government was trying to reintegrate them into their communities. The Government's health policy also advocated the development of traditional medical practices and midwives were trained on that basis in the framework of collaboration between the Government and the United Nations Children's Fund (UNICEF). Lastly, an estimated 120,000 children suffered from AIDS. The media had launched an extensive information campaign in the various regional languages and school curricula paid particular attention to the question of AIDS. Several non-governmental organizations (NGOs) were working to curb the spread of the virus.
6. Mr. ALEMU (Ethiopia) added that a national committee had been set up to combat harmful traditional practices such as sexual mutilation, and that the media had launched a vast campaign to increase awareness of the subject. Many women's associations were calling on the Government to adopt legislation guaranteeing that women enjoyed the protection provided for by the Constitution. All the awareness-raising campaigns also attached particular importance to the task of combating cruelty to children.
7. Mrs. SANTOS PAIS, who was concerned at the large number of children orphaned by the AIDS epidemic, asked whether those children were effectively protected, how they were integrated into society, what alternative protection they enjoyed and how potentially discriminatory attitudes towards them were curbed.

8. In the field of education, the report stated quite frankly that Ethiopia faced many problems, including the gap between school curricula on the one hand and young people's needs and the country's development requirements on the other. In view of the enormous disparities between girls and boys, urban and rural areas and individual regions, were measures being considered to overcome such disparities and to give priority to regions which had been particularly affected by the war and drought? As the school drop-out rate among girls was particularly high, the authorities should try to create in families the climate of confidence needed to encourage parents to send their daughters to school. The delegation had stated that all children received primary education free of charge, but additional information on the cost of textbooks, school dinners and school transport would be welcome.

9. Miss MASON, who had noted that the social policy announced by the Government had been approved, asked what progress was being made in implementing the education policy announced for 1992 to 1994 and whether the literacy campaign of recent years had been successful. She also requested information about the student-teacher ratio and the proportion of men and women in the teaching profession. Since young people in every country had clearly lost interest in teaching, she asked whether the Ethiopian authorities were encouraging people to become teachers. At what level were teachers recruited, how did private school results fare in relation to those of State establishments, and what was being done to encourage girls to attend school?

10. Mrs. KARP asked whether "human rights", grounding in the principles of the Convention and sex education and family planning were a compulsory part of school curricula. She also asked whether the Ministry of Education had any plans to carry out a qualitative analysis of curricula to ensure that they prepared children properly for the realities of everyday life.

11. Mrs. EUFEMIO said that, even though she understood the economic problems faced by Ethiopia, it was regrettable that no more than 1.4 per cent of children between the ages of four to six received preschool education and that young children's development and upbringing were being neglected. In her opinion, preschool education could be organized at the community level and provided by the parents themselves in turn. Classes could focus on stories, songs and role-play since it had been found that if children were introduced to reading and arithmetic too early, their subsequent interest in those subjects waned.

12. Miss MASON suggested that, in the framework of the Government's programme for the decentralization and democratization of education, and in view of the difficulties being encountered by the country in the sphere of education, the authorities should consider training children, including children from more affluent backgrounds, to impart basic knowledge to their peers.

13. Mr. DIRESSIE (Ethiopia) said that the underlying cause of all the problems that had been mentioned was chronic poverty. With a view to improving the schooling of nomadic children, the Government had built a

boarding school in one of the regions where nomadic populations stayed the longest. In view of the project's success, it had been decided to set up similar boarding schools in all the regions through which nomads passed.

14. In an effort to tackle the problem of school drop-outs, the authorities had allocated Br 15 million to needy families to help them cover the cost of buying school supplies for a year and, with a view to stimulating interest in teaching, they had raised teachers' wages to a satisfactory level. Teacher-training colleges at which courses were given in regional languages could be found throughout the country.

15. With regard to the system of private education, he said that implementation of the Ministry of Education's specific directives on the subject had begun. On the question of including human rights teaching in school curricula, he explained that, in accordance with the education policy in force, children were brought up in a spirit of tolerance, mutual respect and acceptance of the intrinsic values of their community.

16. Mr. ALEMU (Ethiopia) added that preschool education was not administered entirely by the Ministry of Education but was being increasingly decentralized and provided at the local community level, for example by churches and Koranic schools. He also explained that private school curricula, which were approved by the Ministry of Education, were exactly the same as those of State schools. New directives aimed at strengthening the relationship between the two kinds of educational establishment had been issued, and in any event there were very few private establishments in Ethiopia.

17. With regard to the question of human rights teaching in schools, he explained that, in the framework of the United Nations Decade for Human Rights Education, the Ethiopian Ministry of Education had undertaken to reflect international human rights instruments in school curricula. In response to the question put by Mr. Mombeshora, he said that agrarian reform had been carried out in Ethiopia in 1974 when the feudal system had been abolished and land redistributed to peasants.

18. The CHAIRPERSON requested the Ethiopian delegation to reply to the question on children who had been orphaned by AIDS.

19. Mr. DIRESSIE (Ethiopia) said that no report had been prepared on the matter in Ethiopia and that no special measures had been adopted for that group of children. Five children who had been orphaned as a result of AIDS had been placed in establishments in Addis Ababa. The non-governmental organization Medical Missionaries of Mary assisted children suffering from AIDS. With regard to discrimination, he recognized that children with AIDS were often ostracized and rejected by society, and that in general there was a great deal of discrimination against people with AIDS in Ethiopian society. Nevertheless, campaigns were organized to highlight how the virus was transmitted and to avoid any discrimination against sufferers.

20. Mr. ABDELA (Ethiopia) added that a number of steps had been taken by the Ministry of Health in an effort to curb discrimination against persons with AIDS. For example, a press campaign on the dangers of AIDS had been launched in a variety of local languages (in government and non-government departments

and in schools) and groups to prevent AIDS had been formed. Persons providing sex education also offered information on the use of condoms. He said he regretted the lack of governmental support for children orphaned by AIDS but pointed out that three NGOs were playing an active role in that area (Organization for Social Services for AIDS, the Sisters of Charity and Medical Missionaries of Mary).

21. The CHAIRPERSON noted what was being done by the Government of Ethiopia in the area of AIDS control with regard to mobilizing society, disseminating information and educating the population at all levels, but wondered whether Ethiopia actually had a national health training and blood bank monitoring programme, possibly on the basis of cooperation with the World Health Organization (WHO) or other organizations.

22. Mr. DIRESSIE (Ethiopia) said that one of the departments of the Ministry of Health was responsible for AIDS-related issues and providing information and education on the subject. WHO had an office within the Ministry of Health. Every year, on World AIDS Day, pamphlets were distributed and posters displayed in various languages, and the way in which the virus was transmitted was very clearly explained.

23. The CHAIRPERSON invited members of the Committee to put questions to the Ethiopian delegation on the section of the list of issues (CRC/C/Q/ETH.1) entitled "Special protection measures".

24. Mrs. KARP said she thought that specific programmes might be drawn up for teachers to help them impart to children the intellectual and moral values that they would use in their everyday life as adults. Secondly, she was concerned at the Ethiopian delegation's replies on the question of disabled children, and wondered whether measures were taken to ensure that they were integrated in schools and society and whether there was any special policy that would entail increasing the budget for disabled children. Thirdly, she noted that the Ethiopian Constitution did not deal directly with domestic violence and said it was her impression that very little was being done to curb domestic violence in general. For example, incest did not appear to be a punishable offence under the Penal Code. Information would also be welcome on rehabilitation programmes for traumatized children, measures taken to encourage police to help children speak freely and the particular kind of training provided for judges, police officers, psychologists and so on. Fourthly, she asked whether Ethiopia had adopted specific measures relating to child prostitution following the World Congress against Commercial Sexual Exploitation of Children which had been held in Stockholm. Fifthly, she noted that, according to the report of the Government of Ethiopia, only 3,000 of its 100,000 street children had access to the special services provided by NGOs. It would be interesting to know whether those figures were reliable and whether the Government of Ethiopia intended to increase appropriations for such children. With regard to juvenile justice, she said it was regrettable that there was only one children's court - in Addis Ababa - and that children in other regions of the country were therefore being discriminated against. She requested further information on the right of children to legal aid depending on the seriousness of the offence committed, and asked whether there was an alternative to prison which also helped the young offender to become integrated into society.

25. Mrs. SANTOS PAIS emphasized the importance of AIDS prevention campaigns in the media and schools that provided information on how the virus was transmitted. Society should stop hiding the problem and try to solve it. In Zimbabwe, for example, the school programme comprised a subject entitled "Let's talk about AIDS" that dealt with its transmission and that therefore enabled children to discuss it at home and in the community.

26. With regard to education, she asked whether it was completely free or whether families had to pay for uniforms and textbooks, for example. If so, families would prefer to send their children out to work rather than to school. In the context of special protection measures for children, she asked whether accurate statistics were available on the number of street children and those affected by the war, and whether strategies had been developed to assist various groups of such children. Lastly, with regard to juvenile justice, she requested the Ethiopian delegation to provide the Committee with written information on the provisions of the Penal Code relating to life imprisonment that had been mentioned at the Committee's previous meeting.

27. She also noted with surprise that, according to paragraph 195 of the initial report of Ethiopia, the right of a juvenile may be restricted where the offence was very serious or where the minor was represented by his parent or guardian. Yet article 40 of the Convention recognized a child's right to state his or her case in the presence of legal counsel and (not or) in the presence of his or her parents. Ethiopian legislation also provided that a minor could be tried in the woreda court without any formal charge (para. 192 of the report), which was contrary to the obligations assumed under article 40 of the Convention, as was the fact that minors could be convicted if they admitted guilt (para. 197). Nor was it acceptable under the Convention that a young recidivist could be sentenced to a prison term if the court considered that prior measures had failed (para. 212). Corporal punishment, which was mentioned in paragraph 214, should be abolished outright. As there appeared to be only one detention centre for minors in Addis Ababa and as minors elsewhere were kept together with adults in prison owing to a lack of resources, other alternatives should be considered (family placement, counselling, educational measures, and so forth).

28. Ms. MASON, referring to the study carried out by Ethiopian authorities on nomadic children and to the boarding school education provided for such children following the study, said she wondered whether the best interests of the child were being served and article 30 of the Convention on the rights of indigenous children was being respected by depriving a child of his or her nomadic status and assigning him or her to a sedentary education. Recently, the authorities in another African country, faced with the same problem, had opted for a system allowing teachers to go and stay with nomadic children, which had proved to be a completely satisfactory solution.

29. Mr. KOLOSOV said that Ethiopia was a most generous host to its own refugees as well as those from other countries. However, it appeared that, from the standpoint of determining refugee status, there was room for progress. He therefore suggested to the Ethiopian authorities that they should cooperate more closely with the Office of the United Nations High Commissioner for Refugees (UNHCR) so as to improve the way in which

refugees were registered and the relevant documents compiled in order to ensure full respect for all their rights, and their civil rights in particular.

30. With regard to the problem of street children, as it would obviously be difficult to demand a country as poor as Ethiopia immediately to build establishments for a disadvantaged population group, simpler and less expensive solutions had to be sought, possibly with the help of NGOs, in order to remedy a situation in which children were both the potential perpetrators and victims of crimes.

31. The CHAIRPERSON asked whether any positive results had been achieved by the children's "mini summit" organized by UNICEF before the Conference of Heads of State and Government of members of the Organization of African Unity (OAU) in Yaoundé, and whether the recommendations made on that occasion had been followed up, especially in respect of children affected by the war.

The meeting was suspended at 11.50 a.m. and resumed at 12.05 p.m.

32. Mr. DIRESSIE (Ethiopia) said that a study carried out two years previously had provided useful information on street children. The study's recommendations had been used to draw up programmes with the help of UNICEF and the Italian Government. However, there was no easy solution, because if such children were provided with infrastructures catering to their needs in cities, many others in rural areas might well be tempted to migrate to the towns in order to enjoy similar facilities. Law enforcement officers must also be trained to protect children's rights. The curriculum at the national police school included talks and seminars on children's rights in general and those of street children in particular.

33. Unfortunately, existing services for handicapped children were very poor, but a specific programme of action was envisaged to help them. Various steps were also being taken to assist children affected by the war and to promote their reintegration into the community. With regard to information concerning the HIV and AIDS problem, the Ethiopian authorities would take the comments of members of the Committee into account.

34. Mr. TADESSE (Ethiopia), referring to the problem of incest, explained that article 621 of the Penal Code provided for a maximum 10-year prison term if a child was involved, as opposed to 3 years if the victim was an adult. Ethiopian legislation also recognized everyone's right to a lawyer. However, in the case of children, a distinction was made between minor offences - in respect of which, because of a shortage of qualified staff, children were represented by their parents - and serious offences, which carried a sentence of more than 10 years, in respect of which children could be represented by a lawyer. Children could also ask to be represented by an officially appointed lawyer if their parents were too poor to pay for the services of a private lawyer.

35. Only the parent or guardian could lodge a complaint with the police. Children below 18 years of age could not, therefore, take a case to court or be prosecuted except through their parents or guardian. Only in the case of very minor offences could a child be tried without any formal charge and

without the involvement of the Public Prosecutor's Office. With regard to sentences, only when corrective measures such as admonishment, probation, or placement in an educational, correctional or institutional care establishment had been unsuccessful could a young recidivist be sentenced to imprisonment for 10 days to 3 years. The Ethiopian delegation had already stated the previous day that minors under 15 years of age were not imprisoned together with adults but placed in correctional establishments. The only such establishment for children, in Addis Ababa, could hold 300 children but additional establishments were to be set up in three other regions of the country.

36. Mr. ALEMU (Ethiopia) acknowledged that the wording of paragraph 195 of the report was ambiguous. However, it should not therefore be assumed, as Mrs. Santos País had done, that the restrictions on a child's right to choose a lawyer increased in proportion to the gravity of the offence. In practice, the court appointed a lawyer in some cases. The comments made by members of the Committee regarding corporal punishment would be duly taken into account, as would their observations concerning the age of criminal responsibility. In Ethiopia, the concept of mental cruelty was covered by the definition of torture, even though it was not classified as a different offence when children were involved. The idea of a special penal code for minors was interesting, and information in that regard might possibly be provided in the future.

37. Although the question of sexual violence was not explicitly mentioned in article 36 of the Ethiopian Constitution, which set forth children's rights, the problems of rape and incest were amply covered by existing legislation. Sexual violence against children was punishable under the Penal Code even if the child had given consent. Unfortunately, such cases of violence were often difficult to detect and punish in practice. Three months previously, a case of sexual violence involving three children in the south-west of the country had been given wide coverage by the media.

38. With regard to refugees, it was true that there were no provisions that specifically defined their status. The Office for Refugees and Repatriates registered refugees and cared for them in cooperation with UNHCR.

39. Mr. ABDELA (Ethiopia) said that a system of mobile schools had been created in each region for nomadic children and that in addition boarding schools would be provided in the areas where they lived.

40. Mr. DIRESSIE (Ethiopia) added that a local NGO coordinated the activities of the many NGOs that dealt with street children and child prostitutes. It worked closely with competent State bodies and was engaged in the task of making police officers aware of such problems. It had also set up a reception centre in Addis Ababa where young girls who lived on the streets could rest, wash, acquire a basic education and, if necessary, receive medical care.

41. The CHAIRPERSON thanked the Ethiopian delegation for the information it had provided and invited members of the Committee who wished to do so to present their preliminary conclusions on the consideration of the initial report of Ethiopia.

42. Mr. KOLOSOV said he hoped that, despite the many difficulties it faced, the Government of Ethiopia would waste no time in doing all it could to improve the legal and economic situation of children in collaboration with competent international bodies. He expressed the hope that, in two to three years, Ethiopia would submit an interim report revealing the progress made in implementing the Committee's recommendations.

43. Mrs. SANTOS PAIS said she would like the text of the Convention published in Ethiopia's Official Gazette, a handbook on the rights of the child compiled for professional groups, coordination between the inter-ministerial Committee and regional and local committees responsible for monitoring implementation of the Convention strengthened, and data on children compiled systematically, in collaboration with international bodies such as UNICEF, so as to determine whether there were disparities between regions, various groups of children and girls and boys. The public should also be made more aware of the harmful effects of certain traditional practices, including early marriage, and the best interests of the child should be taken into account when the national budget was prepared.

44. Furthermore, certain laws should be amended as a matter of urgency to ensure that a child could not be sentenced to death or life imprisonment or given corporal punishment and to prohibit parents from inflicting corporal punishment, however light, on their children. Furthermore, people found guilty of having tortured or ill-treated children should be punished more severely and their acts condemned publicly. The legal age for marriage should be the same for girls and boys and adoption procedures should be amended in the light of the Convention.

45. With regard to juvenile justice, the Government should see to it that the provisions of articles 37, 39 and 40 of the Convention were fully implemented and consider requesting the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch at Vienna for assistance in that connection. Measures to help vulnerable groups such as children affected by the war, children with AIDS, street children and children deprived of liberty should also be strengthened. The creation of the post of ombudsman and of a commission on human rights would also help to promote respect for the rights of all individuals in Ethiopia.

46. Lastly, the Government of Ethiopia could transmit to the Committee additional information on the specific issues it had raised, arrange for the wide dissemination of the initial report of Ethiopia and the Committee's final observations among the population and organize a meeting of relevant international organizations and NGOs to determine how the Committee's recommendations could be followed up in the framework of international cooperation.

47. Mrs. KARP said that she would like children to be closely associated with the adoption of decisions on matters of concern to them and given greater encouragement to assume responsibility and develop their independence. Persons dealing with children, such as teachers and social workers, should also be given very specific instructions that would help them solve children's

problems more effectively. Lastly, Parliament could organize a debate in which children could take part and the Committee's recommendations could be considered.

48. Mrs. EUFEMIO hoped that the question of civil rights and freedoms and matters concerning the family environment and alternative protection would be taken into consideration in the national plan of action to implement the World Declaration on the Survival, Protection and Development of Children and that the Ministry of Labour and Social Affairs would assume greater responsibility for matters involving children's development.

49. Miss MASON noted that Ethiopia, despite the serious problems it faced, had already adopted a number of constructive measures. Programmes for destitute children should be strengthened, more assistance given to NGOs working in that area and the committees responsible for monitoring implementation of the Convention, especially at the woreda level, provided with greater resources.

50. Mr. ABDELA (Ethiopia) said that, despite the serious obstacles being encountered and its limited resources, Ethiopia was doing all it could to improve the living conditions of present generations and to prepare for future generations.

51. The Ethiopian delegation had tried to reply as best it could to the Committee's questions and had realized during the discussion that there was much to be done before the Convention was fully implemented. That goal could be achieved only with the active participation of international and multilateral institutions, NGOs and the Ethiopian people.

52. In conclusion, he assured the Committee that the recommendations made during its consideration of the initial report of Ethiopia would be duly passed on to the Government of Ethiopia and the competent national authorities.

53. The CHAIRPERSON announced that the Committee had concluded its consideration of the initial report of Ethiopia. On behalf of the Committee, she thanked the Ethiopian delegation for its spirit of cooperation and candour and the positive way in which it had accepted the Committee's recommendations.

54. The Ethiopian delegation withdrew.

The meeting rose at 1.10 p.m.